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March 10, 2023

DELIVERED VIA ECF

Honorable Mary Kay Vyskocil
United States District Court
Southern District of New York
500 Pearl St., Courtroom 18C
New York, NY 10007-1312

Case Title: *Itasca Images, LLC v. Pond5, Inc., et al.*, 1:22-cv-00736-MKV
Re: Request to Extend Dismissal Deadline

Your Honor:

As you know, this office represents Plaintiff, Itasca Images LLC (“Itasca”), in the above-referenced case. We write, pursuant to the Court’s August 10th, November 3rd, and January 9th orders, to respectfully request an extension of the deadline for dismissal, which is currently set for March 10, 2023. ECF No. 28.

The parties’ last update to the Court advised that finalizing the settlement agreement was delayed by other litigation, as after this case was filed, the defendant Pond5, Inc. was acquired by Shutterstock, Inc., which Plaintiff had already been in litigation with in the District of Minnesota. See *Itasca Images, LLC, et al., v. Shutterstock, Inc., et al.*, Case No. 21-cv-287 (D.Minn.). The agreement in principle between Plaintiff and Shutterstock, Inc. would also resolve this litigation.

Plaintiff and counsel for Shutterstock, Inc. have participated in two settlement conferences before Magistrate Judge David T. Schultz in the District of Minnesota and are close to resolving the last remaining issues. As such, the parties believe there is good cause in extending the deadline set by the Court’s January 9th order by an additional 30 days, to April 10, 2023. There have been two previous requests to extend the dismissal deadline, which were granted. Defendant Pond5, Inc. consents to this request.

We thank the Court for its consideration of this request.

Respectfully submitted,

By: /s/ Laura M. Zaharia
Scott Alan Burroughs
Laura M. Zaharia
DONIGER / BURROUGHS
For the Plaintiff

IT IS SO ORDERED.

Dated: _____

Honorable Mary Kay Vyskocil, U.S.D.J.